Order Now! "The Wuhan Cover-Up" by RFK Jr.!

11/29/23 • COVID › VIEWS

Watch: Military's COVID Vaccine Mandate 'Illegal' Lawyer Says

This week's edition of "The Defender In-Depth" featured an interview with Dale Saran, lead attorney in three class-action lawsuits seeking potentially billions of dollars in back pay and the correction of records for U.S. military service members who were discharged for refusing the COVID-19 vaccine.

By Michael Nevradakis, Ph.D.

23

Miss a day, miss a lot. *Subscribe to The Defender's Top News of the Day.* ***It's free.***

This week's edition of "The Defender In-Depth" featured an interview with Dale Saran, lead attorney in three class-action lawsuits seeking potentially billions of dollars in back pay and the correction of records for U.S. military service members who were discharged for refusing the COVID-19 vaccine.

The armed services implemented a COVID-19 vaccine mandate on Aug. 24, 2021, which was rescinded on Jan. 10, 2023.

Saran said the mandate was illegal, as under federal law, only fully licensed vaccines can be mandated to service members. The only available COVID-19 vaccines were those issued under Emergency Use Authorization (EUA).

The three lawsuits — Bassen v. The United States of America, Botello v. The United States of America and Harkins v. The United States of America — are before the U.S. Court of Federal Claims.

Saran, a retired marine officer who previously litigated other cases challenging COVID-19 vaccine mandates in the military, told "The Defender In-Depth" that

Donate Now

You make the difference.

GUIDESTAR PLATINUM SEAL OF TRANSPARENCY 2020

Latest News

Dying to Lose Weight? U.S. Poison Control Centers Report 1,500% Spike in Calls About Popular Weight-Loss Drug

Schools, Hospitals Should Avoid Serving GMO Foods to Kids, AAP Says

Fluoride Linked to Diabetes in Kids + FDA Approves Sickle Cell Gene Therapies + More

MORE NEWS

Latest Views

Low Levels of Lead Linked to 765 Million Lost IQ Points in Kids 5 and Under

Watch: Gardasil's HPV Vaccine: Experts Weigh in on Risks, Deceptive Ad Campaigns and Lawsuits

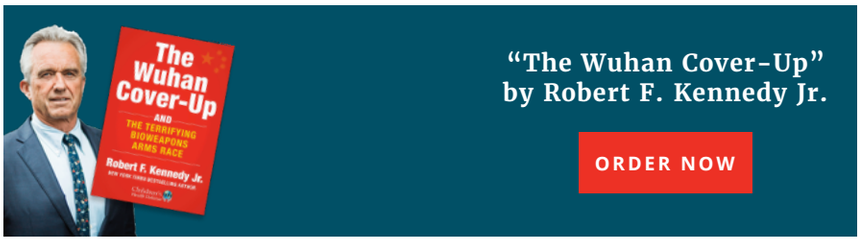
EPA 'Safe' Limits for Pesticides on Food Geared Toward Adults, Not Kids

MORE VIEWS

when the military's COVID-19 vaccine mandate was rescinded, "It was time, we thought, to go and try and get recompense for all those who had been discharged, kicked out or otherwise had their rights trampled."

He also noted that the military, which is facing a recruitment crisis and is now attempting to woo back unvaccinated service members it previously discharged, is "disingenuous" in doing so, as the reenlistment process for these service members is fraught with obstacles that he says the military has intentionally created.

Saran said that the military's "sham" religious accommodation process, in which practically no religious exemptions to the vaccine mandate were granted, has played a role in the military's decreased recruitment numbers.



'Illegal' to claim EUA vaccines 'interchangeable' with licensed vaccines

According to Saran, the military implemented its COVID-19 vaccine mandate one day after the first COVID-19 vaccine, Pfizer's Comirnaty, was fully licensed by the U.S. Food and Drug Administration. "The same day that [Comirnaty] was licensed, it was also removed from the U.S. market," Saran said.

"Yet, they made military folks, or ordered them, to take it," he said, noting that the U.S. Department of Defense (DOD) declared in September 2021 that the vaccines available under an EUA were "interchangeable" with the fully licensed vaccines.

Saran said there isn't "any authority whatsoever for somebody in the DOD to declare that a licensed biologic is equivalent to an unlicensed biologic product. That's all governed by federal statutes that have been around since 2008."

"It's patently illegal. It was just completely unlawful to do so," Saran said.

According to Saran, Congress had explicitly passed a statute that forbids the mandating of unlicensed products unless the president of the United States explicitly waives members' rights to informed consent. "This was not the case with the COVID-19 vaccines," he said.

A November 2021 federal court ruling also rejected the DOD's "interchangeability" claim.

Noting that EUA products are covered by a liability shield under the Public Readiness and Emergency Preparedness Act (PREP Act) — which does not exist for licensed products — Saran said the military's actions resemble "a bait-and-switch ... to protect the pharmaceutical companies at the expense of the military."

RFK Jr. and Brian Hooker's *New* Book: "Vax-Unvax"

ORDER NOW

Religious accommodations policy akin to a 'religious targeting policy'

According to Saran, a significant number of military service members objected to the COVID-19 vaccine mandate on religious grounds and sought a religious exemption.

Yet, "The military did not handle the religious accommodation process very well at all, and that's an understatement, which is to say they made a mess of it," Saran said. "There was no religious accommodation policy. In fact, it looks like it

Get FREE News & Updates!

First Name..

Last Name..

Email..

SIGN UP

Get Text Alerts

Sign up for breaking news from The Defender.

Currently only eligible for numbers in the U.S. and Canada.

1234567890

Phone

REQUIRED. Phone number must be in a standard 10-digit format: 1234567890 or 123-456-7890

CONTINUE

was a religious targeting policy" that violated the Religious Freedom Restoration Act.

Saran said what the military set up "is just this sham, a kabuki theater" that "wasn't a real accommodation process" and where "the answer was always going to be no."

"The entire process was a fraud," he said. There was no individual assessment done, although Saran said there were numerous instances where individual military members who were unvaccinated "weren't allowed to go into the chow hall [or] had to wear different colored wristbands" to set them apart.

Your support helps fund this work, and CHD's related advocacy, education and scientific research.

DONATE NOW

Military not being honest in trying to woo back unvaccinated service members

Responding to the news that the U.S. Army sent letters to unvaccinated former service members, offering them the opportunity to request corrections to their service records or to reenlist, Saran said the Army is not being honest.

"All these people that they dropped or discharged, they gave bad reenlistment codes or they gave a general [not honorable] discharge ... they gave them letters of reprimand, ... a big chunk of them aren't even eligible to reenlist," Saran said, adding that the process to correct their records may span at least 18 months to two years.

Yet, when the military's "Don't Ask, Don't Tell" policy was repealed in 2011, records of service members who were discharged under that policy were automatically corrected.

"If the secretaries really wanted people back, they have the authority," Saran said. Yet, "they're making people that they supposedly want back beg and grovel to come back."

Saran said that total back pay owed to the service members who were discharged or otherwise let go due to their unvaccinated status may total billions of dollars. He explained how he and his legal team arrived at that figure.

"What we did was go through all of the [National Defense Authorization Act] bills and see how much the military had appropriated for the pay and benefits for those members of the military," he said. "And then it was a matter of just crunching all those numbers."

"No matter how you do it, we can't come up with a number that's any less than $4 billion, and it could be as high as $15 billion or more."

Watch the latest episode of "The Defender In-Depth" podcast:

Subscribe to The Defender – It's Free!

First Name.. Last Name.. Email.. SIGN UP

SUGGEST A CORRECTION

Michael Nevradakis, Ph.D.

Michael Nevradakis, Ph.D., based in Athens, Greece, is a senior reporter for The Defender and part of the rotation of hosts for CHD.TV's "Good Morning CHD."

Sign up for free news and updates from Children's Health Defense. CHD focuses on legal strategies to defend the health of our children and obtain justice for those injured. We can't do it without your support

Republishing Guidelines

Children's Health Defense Comment Policy

We welcome relevant and respectful comments. Off-topic comments may be removed.

Please read our Comment Policy before commenting.

Got it

23 Comments 1 Login

Join the discussion…

LOG IN WITH OR SIGN UP WITH DISQUS

Name

10 • Share Best Newest Oldest

William H Warrick III MD
18 days ago

The EUAs were illegal too because treatment with other repurposed generic drugs was available like the Zelenko Protocol, HCQ with Zinc, Ivermectin, Budesonide and Nasal sprays of Food Grade Peroxide, Betadine, and even just Saline were available. Now All Cause Mortality is through the roof and Permanent Worker Disabilities are off the charts. Their employee Worker's Compensation Insurance Premiums are off the charts as well, plus fired Employees will be able to sue the Employers that forced them to get the shots.

16 0 Reply • Share ›

Bill H RRT → William H Warrick III MD
17 days ago

Do you know the differences between the Zelenko and FLCCC protocols?

0 0 Reply • Share ›

richard
18 days ago

Shameless and brazen are the words to describe them inviting the unvaxxed service members back but obliging them to humiliate themselves one more time by going through endless bureaucracy to "maybe" have their records corrected and "perhaps" be re-enlisted. Hopefully this lawsuit will milk these clowns and their budget dry.

13 0 Reply • Share ›

Susan Mangravito → richard
18 days ago

I shave a feeling that the main reason they are leaving the border wide open and giving those that crossed and were sick, ivermectin instead of the shot, was to have someone to force into the service if they want to stay... that or "our enemy" has already taken over our government and is amassing an enemy army here to fight us all... when the time comes, they will be given arms, and it will all come out...

8 0 Reply • Share ›

GarySummers → Susan Mangravito
18 days ago

"China's Saboteurs Are Coming to America"
https://www.gatestoneinstit...

"Red Chinese Illegal Border Crossers Have Ties To People's Liberation Army"
'Chinese Communist Party (CCP) military-age males are illegally crossing the American border. They are joining the millions of other illegal aliens who have crossed the border.'
https://www.conservativehq....

4 0 Reply • Share ›

Louke
18 days ago

Absolutely obvious to anyone with more than two functioning brain cells that the military top brass broke all sorts of laws and violated both their oath and the US constitution in multiple ways. Hopefully the corrupt judges and courts will agree.

13 0 Reply • Share ›

Susan Mangravito → Louke
18 days ago

One word of your comment says it all...the problem is everyone seems to be corrupt!!... definitely NOT on the side of the average citizen...

12 0 Reply • Share ›

GarySummers → Susan Mangravito
18 days ago

So much Corruptness, and so many owned by the CCP.

6 0 Reply • Share ›

GarySummers → Louke
18 days ago edited

Hopefully they get "Punitive Damages" for all those Involved in this Travesty and all those who gave the Orders!
'Bankruptcy would be to good for Many of Them!'
Plus look at any Company that Pfizer. and Moderna, subbed out their Jab production to?
Was any of them CCP Red China controlled Company's? Destroy our Military?
Someone new the 'Real Deal', why was Congress, SCOTUS, Whitehouse Staff, Illegal Aliens, Post Office, (2000 Mules), Chinese Nationals, EXEMPT from Bidens Admin Jab Mandates?

9 0 Reply • Share ›

gnt
18 days ago

This was a very good interview, thanks! Love to see someone who has also walked the walk (former marine) give it to these tyrants and clowns, having seen it all from the inside. I hope these lawsuits are successful and these ordinary Americans that just wanted to represent their country get the justice they deserve.

13 0 Reply • Share ›

Bill H RRT
18 days ago

Now...if only someone could bring up a suit against the medical establishment for the lives ruined by the mandates for MDs, RNs, and other clinical practitioners/staff, too! Its too late for me. I lost my livelihood, and license will expire soon.

If this is truly a country that honored the Constitution that I defended with my service, and not ruled over by the elites America would truly be the best country in the world, but it isn't. That isn't the world we live in. It's the wrong universe (among multi-verses) this world is in. Some one please wake me up because I'm dreaming. We all were given the black pill.

12 0 Reply • Share ›

Beatrice → Bill H RRT
17 days ago

I know exactly how you feel. It's a horrible feeling to know that we've been lied to and manipulated our entire lives. I feel as though I've been slimed with evil ectoplasm

4 0 Reply • Share ›

ksj
18 days ago

Dale Saran was a great guest and laid the issues out really well. Thanks for bringing him on!

11 0 Reply • Share ›

GarySummers
18 days ago

"Agenda to Depopulate the Planet Through COVID Vaccination. Revealed by Government Reports and Pfizer Documents"

'The push for mass Covid-19 vaccination was never about combating a virus. It was about reducing the global population.'

This goal aligns with the interests of 'certain powerful corporations and individuals' who stand to benefit from 'a smaller, more manageable population' now that 'AI' is advanced enough to replace hundreds of millions of workers.
https://www.globalresearch....

7 0 Reply • Share ›

Ronald Martono
18 days ago

Stage one (2020-2023) was "act illegal and get away with it", stage two (2024 -) is "just make evil things legal" (WHO treaty, gender crimes on children etc..)
If anything to learn here it's that the system itself is bad. There is no " Our Great Democracy", it's a con. The good old "law abiding citizens" sit in the trap of being obedient to an Antichrist system for the sake of being obedient. When evil rules do not follow evil. Chose God.

6 0 Reply • Share ›

Beatrice → Ronald Martono
17 days ago

Our reality has been turned completely upside down and inside out. 2 plus 2 equals anything that the woke individual and their evil dictators decide.

4 0 Reply • Share ›

AbusedTaxpayer
18 days ago

Yes, the vaxxicides are illegal and the government and courts are corrupt. No relief there.

5 0 Reply • Share ›

GarySummers → AbusedTaxpayer
18 days ago

It may be so obvious they may have to give a little bit of Justice?

4 0 Reply • Share ›

Wendy Allen
17 days ago

The corrupt may hurt the troops with other vaccines etc. to accomplish their goal of weakening the military. The mRNA flu shot and many other shots don't help health, but burden the immune system. The military could use fish oil/Vit C/Vit D3 etc... to help the troops immune system if they wanted.

3 0 Reply • Share ›

Ricky Ricardo
18 days ago edited

Do we really need a lawyer to tell us that the covid psyops was/is illegal?! If I, or anyone else has to explain it - why bother...it's a waste of time! This entire civilization is evil and corrupt and the less interaction I have with this "society" - the better I like it.

3 0 Reply • Share ›

kaoshispano
17 days ago

Children's Health Defense

Children's Health Defense® is a 501(c)(3) non-profit organization. Our mission is to end childhood health epidemics by working aggressively to eliminate harmful exposures, hold those responsible accountable and establish safeguards to prevent future harm. We fight corruption, mass surveillance and censorship that put profits before people as well as advocate for worldwide rights to health freedom and bodily autonomy.

THE DEFENDER IS AVAILABLE IN:

ENGLISH SPANISH PORTUGUESE GERMAN ITALIAN FRENCH

TAKE ACTION

DONATE FREE SIGN-UP BECOME A MEMBER

Donations are tax deductible to the full extent of the law. EIN #26-0388604

Children's Health Defense • Legal Disclaimer • Terms of Use • Privacy Policy • Donate • Work for CHD • Contact • Social • Membership FAQ

© 2016 - 2023 Children's Health Defense® • All Rights Reserved • Sitemap